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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/559,729	12/07/2005	Koji Ohnishi	2005_1912A	1833
513 7590 06/25/2007 WENDEROTH, LIND & PONACK, L.L.P. 2033 K STREET N. W. SUITE 800 WASHINGTON, DC 20006-1021			EXAMINER GIRARDI, VANESSA MARY	
			ART UNIT 2833	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/559,729

Applicant(s)

OHNISHI ET AL.

Examiner

Vanessa Girardi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on December 7, 2005 (Initial Application).
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 December 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date Dec. 7, 2005.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- ☐ Notice of Informal Patent Application
- ☐ Other: _____.

Specification

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed or what is stated in the Technical Field to which the instant invention relates.

The following title is suggested:

HIGH-FREQUENCY DIFFERENTIAL TRANSMISSION ELECTRICAL CONNECTOR

2. The specification fails to meet the following statutory requirement:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same, and shall set forth the best mode contemplated by the inventor of carrying out his invention.

For example: the word "interval" typically denotes a space in time or sound and is generally reserved to describe waveform-like characteristics or that which has a certain intangibility to it. Physical distances, are just that, "distance". Now, if you're describing the interval of time it takes for signal propagation, that makes more sense. Regardless, use of the term "interval" has not been clearly applied.

Page 2; 2nd paragraph, 1st line; "Moreover. . . the interval (b) between the terminal pairs 12"; and same page 4th paragraph, next to last line "dissolved and . . . the distance "b" between the terminal pairs"; exemplifies the difficulty in fully understanding what is intended in the claim language even in light of the specification.

Page 2; 5th paragraph; "However, in this case, as shown in Fig. 12, the female-type contacts 12a, 12b ~~configuring~~ form the terminal pair 12 which are integrally molded in one of the divided housings for female-type contacts (hereinafter, referred to as module housing) 14a, 14b, ... by insert molding, and the interval distance between the contacts (*which distance, vertically or horizontally?*)

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is much reduced due to the progress of high-density package, therefore the terminal pair 12 of the relevant female-type contacts are hard to be fixed in a mold with the reduced interval."

? Ok, due to advances in high-density packages the space between terminals can be reduced, and. . . are hard to be fixed in a mold . . . what?

From the last paragraph of page 6 through to page 7, Figure 7 is relied upon to illustrate the key intervals distances; (a) that being between the terminals which make up the pairs themselves, and (b) which illustrates two different distances having different lengths. Given this is the crux of the instant invention, this point needs to be clearly illustrated and properly described.

The application contains many such instances of non-idiomatic English, the specification has not been checked to the extent necessary to determine the presence of all possible such errors which hinder the overall clarity. Applicant's cooperation is requested in correcting all remaining errors, use of idiomatic English and ambiguity in the specification such as those instances depicted above while taking great care in not introducing any new matter.

Abstract

3. The abstract of the disclosure is objected to because it is replete with grammatical errors and non-idiomatic English which obscures a clear understanding of the instant invention. Particularly the last line which purports the instant invention will improve crosstalk, Examiner believes that statement is in direct contradiction to what the Applicant is attempting to achieve. Correction is required. See MPEP § 608.01(b).

Drawings

4. Figures 9-11 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application.

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The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "b" has been used to designate two different "intervals" in Figure 7. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 1 and 2 are objected to under 37 C.F.R. Rule 1.75(d)(1) as stated in MPEP § 608.01(o). The terms and the phrases used in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description. The objections discussed above with respect to the specification carry over into the claim language. Claim 1 is repeated below and "punctuated" with the applicable "objection" in context with the claim language in order to illustrate the lack of clarity.

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1. An electric connector, having a plurality of signal terminals,
a housing for female-type contacts in which the signal terminals are buried and integrally molded
in a synthetic-resin housing with one ends (*one ends?*) of them being exposed, (*are there
female contacts and signal terminals for which there is a housing for the female-type
contacts and a synthetic resin housing in which the signal terminals are buried?*)
and a joint housing (*Yet another housing, which figures how, in relation to the potentially
other two housings?*) formed in a way that reception holes for receiving every one terminal pair,
(*how about "each terminal pair"*)
in which terminals are set close to each other (*terminals? The signal terminals?*) in a
horizontal direction in order to transmit an electric signal through the signal terminals (*Is there
yet another set of terminals which signal through the signal terminals? Or is the
transmission within the signal terminals themselves being described?*)
are lined up in the horizontal direction and set in several stages in a vertical direction, in which a
~~relation-of-an-interval~~ the distance

(a) between the two signal terminals of the terminal pair to an interval (*What?*)

(b) between the terminal pairs is $a < b$; (*A novel way to denote a characteristic,
but (a) and (b) require further clarification.*)

the two signal terminals of the terminal pair (*Where was the definition of a terminal pair
established?*) are separately buried and integrally molded in a module housing (*A fourth
distinct housing which is not tied in to any of the others established thus far*), which is
formed by dividing the housing for female-type contacts along the vertical direction in alignment
with the midpoint of the interval (a) in the terminal pair (*that didn't tie or clear anything up*).

It is *strongly* recommended the claimed subject-matter is completely reorganized to
introduce each attribute within the assembly and their relation/orientation to one another, then

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delve into the details within each attribute clearly defining the specific details pertaining to the contacts, terminals their orientation within each respective housing, for example:

An electrical connector assembly comprising;

a first housing containing female-type contacts; and

a second housing containing signal terminals; and

a joint housing which receives; and

a module housing; wherein

the female-type contacts comprise; and

the signal terminals comprise; wherein forms a terminal pair

How are each oriented within their respective housings and how does each housing tie-in to this particular orientation, or does it?

. are received in respective sides of the joint housing such that. wherein

division of the first housing along. with respect to results in specific module housings *which are important why?*

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. §102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1 and 2 as best understood are rejected under 35 U.S.C. §102(e) as being anticipated by Winings et al. (US 6,652,318).

Winings et al. discloses an electric connector **100**, having a plurality of signal terminals [COL. 3, LINES 19-23], a housing **108** for female-type contacts in which the signal terminals are

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buried and integrally molded in a synthetic-resin housing [COL. 3, LINES 54-55] with one ends of them being exposed [FIG. 4], and a joint housing 105 formed in a way that reception holes for receiving every one terminal pair [FIG. 3], in which terminals are set close to each other in a horizontal direction in order to transmit an electric signal through the signal terminals are lined up in the horizontal direction and set in several stages in a vertical direction, in which a relation of an interval the distance

(a) between the two signal terminals of the terminal pair to an interval

(b) between the terminal pairs is $a < b$; the two signal terminals of the terminal pair are separately buried and integrally molded in a module housing which is formed by dividing the housing for female-type contacts along the vertical direction in alignment with the midpoint of the interval (a) in the terminal pair [FIGS. 5, 6, 9a, 14-17] illustrate various embodiments all striving toward solving the same problem [COL. 1, LINES 49-56] such that it is believed Winings et al. reads on the placement of the terminals within the housing as disclosed by claims 1 and 2 of the instant invention.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

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A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

8. Claims 1 and 2 are rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 3-5, 8, 9 and 13, 15-17, 20, 21 of U.S. Patent No. 6,843,686. Although the conflicting claims are not identical, employing different terms and mere rearranging of dependency does not patentably distinguish one set of claims from the other.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vanessa Girardi: Telephone number (571) 272-5924.

Monday – Thursday 7 a.m. to 5:30 p.m. (EST)

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Paula Bradley can be reached on (571) 272-2800 ext 33.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VG

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June 18, 2007



THO D. TA
PRIMARY EXAMINER